

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES PATE,

Plaintiff,

CIV S-05-848 KJM

vs.

JO ANNE B. BARNHART,  
Commissioner of Social Security,

ORDER

Defendant.

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Plaintiff has requested authority under 28 U.S.C. § 1915 to proceed in forma pauperis. Plaintiff has submitted the affidavit required by § 1915(a) showing that plaintiff is unable to prepay fees and costs or give security for them. Accordingly, the request to proceed in forma pauperis will be granted. 28 U.S.C. § 1915(a).

In accordance with the above, IT IS HEREBY ORDERED that:

1. Plaintiff's request to proceed in forma pauperis is granted; and
2. The Clerk of the Court is directed to serve the undersigned's scheduling order in social security cases.
3. The Clerk of the Court is further directed to serve a copy of this order on the United States Marshal.

1           4. Within fifteen days from the date of this order, plaintiff shall submit to the  
2 United States Marshal a completed summons and copies of the complaint and to file a statement  
3 with the court that said documents have been submitted to the United States Marshal.

4           5. The United States Marshal is directed to serve all process without prepayment  
5 of costs not later than sixty days from the date of this order. Service of process shall be  
6 completed by delivering a copy of the summons and complaint to the United States Attorney for  
7 the Eastern District of California, and by sending a copy of the summons and complaint by  
8 registered or certified mail to the Attorney General of the United States at Washington, D.C. See  
9 Fed. R. Civ. P. 4(i)(1)(A) & (B). The Marshal shall also send a copy of the summons and  
10 complaint by registered or certified mail to the Commissioner of Social Security, c/o Office of  
11 General Counsel, 6401 Security Blvd., Room 611, Altmeyer Bldg., Baltimore, MD 21235. See  
12 Fed. R. Civ. P. 4(i)(2).

13 DATED: May 2, 2005.

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16 UNITED STATES MAGISTRATE JUDGE  
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